



Dkt. #639-B-PCT-US (PW)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nai-Kong CHEUNG

U.S. Serial No.: 10/621,027, continuation-in-part of International Application No. PCT/US02/01276, filed January 15, 2002, claiming benefit of U.S. Serial No. 60/261,911, filed January 16, 2001

Filed Date : July 16, 2003

For : THERAPY-ENHANCING GLUCAN

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May 12, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant hereby submits this Supplemental Information Disclosure Statement in accordance with their duty of disclosure under 37 C.F.R. §1.56. Applicant originally filed an Information Disclosure Statement for the above-identified application on July 16, 2003 and Supplemental Information Disclosure Statements on April 12, 2004, September 24, 2004, November 8, 2004, November 22, 2004 and March 25, 2005. Applicant would like to direct the Examiner's attention to the following references which are listed below as **Exhibits 1-10** and on Forms PTO/SB/08A (**Exhibit A**, 1 page) and PTO/SB/08B (**Exhibit B**, 1 page).

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The following references are attached:

1. Search Report prepared by the Norwegian Patent Office, dated May 4, 2005 **[Exhibit 1]**
2. Hong et al., "Mechanism by Which Orally Administered  $\beta$ -1,3-Glucans Enhance the Tumoricidal Activity of Antitumor Monoclonal Antibodies in Murine Tumor Models", Journal of Immunology, Vol. 173, No. 5, Pages 797-806 (2004) **[Exhibit 2]**
3. Ostroff et al., "Immune-Enhancing Effects of Oral Yeast  $\beta$  1,3/1,6 Glucans", American Chemical Society, Vol. 225, No. 1-2, pp. AGFD 8 (2003) **[Exhibit 3]**
4. Allendorf et al., "Macrophages shuttle orally administered  $\beta$ -glucan to potentiate the CR3-dependent tumoricidal effects of monoclonal antibodies in mouse tumor models", FASEB Journal, Vol. 17, No. 7, Page C128 (2004) **[Exhibit 4]**
5. Papila et al., "The Effect of oral  $\beta$ -glucan in addition to systemic chemotherapy on the leukocyte values with oral mucositis in the patients with head-neck tumors", International Review of Allergology & Clinical Immunology, Vol 10, No. 2, Pages 59-61 (2004) **[Exhibit 5]**
6. U.S. Patent Application Publication No. US 2004/0248772 A1 for Akikuni Yagita, December 9, 2004. "Anticancer Compositions" **[Exhibit 6]**
7. U.S. Patent Application Publication No. US 2004/0266726 A1 for Akikuni Yagita, December 30, 2004. "Anticancer Compositions" **[Exhibit 7]**

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U.S. Serial No.: 10/621,027  
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8. U.S. Patent No. US 4,761,402 for Williams et al., August 2, 1988. "Methods and Compositions for Prophylactic and Therapeutic Treatment of Infections" **[Exhibit 8]**
9. U.S. Patent No. US 4,818,752 for Williams et al., April 4, 1989. "Soluble Phosphorylated Glucan: Methods and Compositions for Treatment of Neoplastic Diseases" **[Exhibit 9]**
10. International Patent Application Publication No. WO 98/39013 for Peregrine Pharmaceutical, Inc. et al., September 11, 1998 for "Composition and Method for Treating Cancer and Immunological Disorders Resulting in Chronic Conditions" **[Exhibit 10]**

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If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

I hereby certify that this paper is being deposited this date with the U.S. Postal Service with sufficient postage for first class mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Albert Wai-Kit Chan

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Reg. No. 36,479

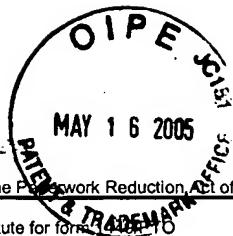
5/12/05

Date

Respectfully submitted,

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Substitute for form 44-10

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 1

of 1

**Complete if Known**

Application Number	10/621,027
Filing Date	July 16, 2003
First Named Inventor	Nai-Kong Cheung
Art Unit	1623
Examiner Name	Jason H. Johnsen
Attorney Docket Number	639-B-PCT-US

**U. S. PATENT DOCUMENTS**

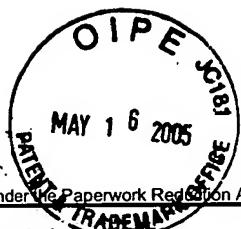
## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, Washington, DC 20231.**

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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### Complete if Known

Application Number	10/621,027
Filing Date	July 16, 2003
First Named Inventor	Nai-Kong Cheung
Art Unit	1623
Examiner Name	Jason H. Johnsen
Attorney Docket Number	639-B-PCT-US

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	Search Report prepared by the Norwegian Patent Office, dated May 4, 2005	
	2	Hong et al., " Mechanism by Which Orally Administered $\beta$ -1,3-Glucans Enhance the Tumoricidal Activity of Antitumor Monoclonal Antibodies in Murine Tumor Models", Journal of Immunology, Vol. 173, No. 5, Pages 797-806 (2004)	
	3	Ostroff et al., "Immune-Enhancing Effects of Oral Yeast $\beta$ 1,3/1,6 Glucans", American Chemical Society, Vol. 225, No. 1-2, pp. AGFD 8 (2003)	
	4	Allendorf et al., "Macrophages shuttle orally administered $\beta$ -glucan to potentiate the CR3-dependent tumoricidal effects of monoclonal antibodies in mouse tumor models". FASEB Journal, Vol. 17, No. 7, Page C128 (2004)	
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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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